

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VICKEY J. McKIMMEY,)	4:06CV3138
)	
Plaintiff,)	
vs.)	MEMORANDUM
)	AND ORDER
BRIAN STOBBE, in his individual)	
and official capacities; NICOLE)	
STOBBE, in her individual and)	
official capacities; and MERRICK)	
COUNTY, NEBRASKA,)	
)	
Defendants.)	

Plaintiff has filed a motion for an enlargement of time, from May 2, 2007, to June 1, 2007, in which to respond to Defendants' motion for summary judgment. No showing has been made Plaintiff for granting a continuance under Federal Rule of Civil Procedure 56(f), and Defendants have filed an objection to the motion, stating that the only issue presented by the motion for summary judgment is whether Plaintiff exhausted her administrative remedies prior to filing suit.¹

Actually, the progression order in this case provides a 40-day response deadline for summary judgment motions. See Filing 50, ¶ 1. Defendants' motion for summary judgment was filed on April 12, 2007, so Plaintiff's response is not due until May 25, 2007 (40 days plus 3 days for service, see NECivR 6.1(b)). Because Plaintiff has not demonstrated any need for a 1-week extension beyond that date, her motion will be denied and Plaintiff will be expected to file her response on or before May 25, 2007.

Accordingly,

¹ Our local rules do not permit the filing of an objection to a motion. See NECivR 7.1(b)(1)(A). Thus, I will not rule on Defendants' filing 65, but will simply treat it as a brief in opposition to Plaintiff's motion.

IT IS ORDERED that Plaintiff's motion for an enlargement of time (filing 63) is denied.

April 18, 2007.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge